

JUDGE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDREW HEFFRON,

Defendant.

CASE NO. CR 06-079 JCC

ORDER

This Court having considered the stipulation of the parties hereby GRANTS the parties' request for a continuance of the trial date and pre-trial motions cutoff date. Defendant Andrew Heffron will indicate his knowing, voluntary, and intelligent waiver of his right to a speedy trial by executing a written waiver of his right to a speedy trial through July 31, 2007. The parties also have articulated their desire to continue to engage in plea discussions.

THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(8)(B)(i) that failure to grant such a continuance in the proceeding would be likely to make a continuation of such proceeding impossible, or result in a miscarriage of justice.

THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(8)(B)(iv), that failure to grant the continuance in this case, which, taken as a whole, is not so unusual or so complex as to fall within clause (ii), would deny counsel for the defendant the reasonable time necessary for effective preparation, due to counsels'

1 need for more time to review the evidence and consider possible defenses, taking into
2 account the exercise of due diligence.

3 THIS COURT FINDS, pursuant to Title 18, United States Code, Section
4 3161(h)(7), that this is a reasonable period of delay in that the defendants are joined for
5 trial and no previous motion for continuance has been granted, and all defendants have
6 requested more time to prepare for trial, and defendants have either filed or will file
7 waivers of speedy trial in support of this motion.

8 THIS COURT FINDS, therefore, that pursuant to Title 18, United States Code,
9 Section 3161(h)(8)(A), the ends of justice will best be served by a continuance, and that
10 they outweigh the best interests of the public and the defendant in a speedy trial.

11 The parties' motion for continuance is GRANTED. Trial is reset
12 for May 21, 2007. The Pre-trial Motion cutoff date is reset for March 15, 2007, with any
13 responses due on March 29, 2007. The time from the filing of the stipulated motion
14 through the new trial date shall be excludable under the Speedy Trial Act, Title 18,
15 United States Code, Section 3161(h)(8)(A).

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17 Dated this 12th day of January, 2007.

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20 John C. Coughenour
21 United States District Judge

22 Presented by:

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